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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,135	02/21/2002	Hans Eberle	004-6999	9143
42714	7590	09/20/2006		
ZAGORIN O'BRIEN GRAHAM LLP (004) 7600B NORTH CAPITAL OF TEXAS HIGHWAY SUITE 350 AUSTIN, TX 78731-1191			EXAMINER HAN, CLEMENCE S	
			ART UNIT	PAPER NUMBER
			2616	

DATE MAILED: 09/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No. 10/080,135	Applicant(s) EBERLE ET AL.	
	Examiner Clemence Han	Art Unit 2616	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on amendment received on 06/30/2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-20, 22-31, 33-36, 39, 40, 42, 43 and 45-50 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 3-9, 11, 12, 14, 22-31, 33-36, 39, 40, 42, 43 and 45-50 is/are allowed.
- 6) ☒ Claim(s) 1, 2, 19 and 20 is/are rejected.
- 7) ☒ Claim(s) 13 and 15-18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
2. Claim 1, 2 and 20 are rejected under 35 U.S.C. 102(e) as being anticipated by Yu et al. (US 6,501,734).

Regarding to claim 1, Yu teaches method for sharing multiple resources among users using an arbiter comprising allocating a first of the resources 208 speculatively to one of the users 70c for use during an access interval, absent a request for the first resource from the one of the users (Column 9 Line 21-25), wherein speculatively allocating the first resource comprises allocating the first resource according to one of a fixed priority scheme and a scheme allocating the resource to the user with the fewest requests (Column 7 Line 54-61).

Regarding to claim 2, Yu teaches allocating at least a second of the resources 202 for use during the access interval according to a request received by the arbiter for the second resource (Column 10 Line 16-18).

Regarding to claim 20, Yu teaches the resources are communication links and the users are communicatively coupled to the communication links (Column 8 Line 65 – Column 9 Line 1).

Claim Rejections - 35 USC § 103

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Yu et al. in view of Huffman (US 6,816,947).

Regarding to claim 19, Yu teaches method for sharing multiple resources among users using an arbiter comprising allocating a first of the resources 208 speculatively to one of the users 70c for use during an access interval, absent a request for the first resource from the one of the users (Column 9 Line 21-25), wherein speculatively allocating the first resource comprises allocating the first resource according to one of a fixed priority scheme and a scheme allocating the resource to the user with the fewest requests (Column 7 Line 54-61). Yu, however, does not teach the resources are storage locations and the users are processors. Huffman teaches the resources are storage locations 150, 160 and the users are processors 140. It would have been obvious to one skilled in the art to modify Yu to have storage locations as the resources and processors as the users as taught by Huffman in order to efficiently arbitrate memory access (Column 2 Line 40-45).

Allowable Subject Matter

5. Claim 3-9, 11, 12, 14, 22-31, 33-36, 39, 40, 42, 43 and 45-50 are allowed.

6. Claim 13 and 15-18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

7. Applicant's arguments with respect to claim 1-9, 11-20, 22-31, 33-36, 39, 40, 42, 43 and 45-50 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clemence Han whose telephone number is (571) 272-3158. The examiner can normally be reached on Monday-Thursday 7 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Huy Vu can be reached on (571) 272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

C.H.

Clemence Han
Examiner
Art Unit 2616



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